



STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
BOARD OF NURSING

IN THE MATTER OF THE LICENSE OF	:	Administrative Action
	:	
	:	
	:	
KALI G. VILLAR, RN	:	FINAL ORDER
License # 26NR15743000	:	OF DISCIPLINE
	:	
	:	
TO PRACTICE NURSING IN THE	:	
STATE OF NEW JERSEY	:	

This matter was opened to the New Jersey State Board of Nursing ("Board") upon receipt of information which the Board has reviewed and upon which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Kali G. Villar ("Respondent") is a Registered Professional Nurse in the State of New Jersey and has been a licensee at all times relevant hereto.

2. On March 4, 2013, the Board received a flagging notice that Respondent was arrested on March 2, 2013 by the Bayonne Police for violation of N.J.S.A. 2C:12-1A (Simple Assault). The Board send a letter of inquiry requesting certain information and documents regarding the criminal matter, Respondent's

nursing practice, and continuing education to Respondent's address of record in Belleville, New Jersey, via regular and certified mail on or about March 13, 2013. The regular mailing was not returned; the certified mailing was unclaimed and returned.

3. On March 20, 2013, a Board staff member spoke with Respondent by phone and instructed him to provide the information requested in the Board's letter of inquiry. Respondent indicated he would send the requested information.

4. On or about May 3, 2013, Respondent completed and submitted an online biennial renewal for the period of June 1, 2013 to May 31, 2015.

5. Respondent was asked on the biennial renewal application whether Respondent would have "completed the required continuing education credits by May 31, 2013," referring to the biennial renewal period of June 1, 2011 to May 31, 2013. Respondent answered "Yes" and certified that answer by submitting the online application.

6. To date, Respondent has not responded to the Board's request for information.

#### CONCLUSIONS OF LAW

Respondent's failure to respond to the Board's request for information constitutes a failure to cooperate with a Board

investigation, in contravention of N.J.A.C. 13:45C-1.2 and 1.3, which the Board deems professional misconduct pursuant to N.J.S.A. 45:1-21(e) and also subjects Respondent to disciplinary action pursuant to N.J.S.A. 45:1-21(h).

Pursuant to N.J.A.C. 13:37-5.3(b), nurses are required to complete a minimum of thirty (30) hours of continuing education during the preceding biennial period in order to renew their licenses. Pursuant to N.J.A.C. 13:37-5.3(f), nurses are required to maintain documentation of completion of continuing education for a period of four years after completion, and shall submit such documentation to the Board upon request.

By virtue of having failed to respond to the letter of inquiry, Respondent is deemed to have failed to demonstrate, to the satisfaction of the Board, that Respondent completed the continuing education credits required for renewal during the biennial period of June 1, 2011 to May 31, 2013. The Board therefore finds Respondent in violation of N.J.A.C. 13:37-5.3(b) and 13:37-5.3(f), which in turn subjects Respondent to sanctions pursuant to N.J.S.A. 45:1-21(e) and (h).

Respondent's use of dishonesty and misrepresentation during the license renewal process in falsifying his continuing education information constitutes a violation of N.J.S.A. 45:1-21(b), subjecting Respondent to sanctions.

Based on the foregoing findings and conclusions, a Provisional Order of Discipline was entered on January 21, 2015, provisionally suspending respondent's nursing license, and imposing a reprimand and a total of \$750 in civil penalties. A copy of the Order was served upon the respondent by certified and regular mail at her address of record. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30<sup>th</sup> day following entry unless respondent requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting respondent's request for consideration and reasons therefor.

Mr. Villar responded to the Provisional Order, providing the Board with a new address and forwarding all information and documents requested in the Board's original letter of inquiry. With respect to continuing education, respondent timely completed only six hours of continuing education during the June 1, 2011-May 31, 2013 licensing cycle, but documented completion of a total of 54.75 contact hours of valid continuing education completed during the June 1, 2013-May 31, 2015 licensing cycle.

Thus 24 contact hours of the 54.75 hours were applied to cure the deficiency for the previous biennial licensing cycle.

Because Mr. Villar has provided all information requested, and documented completion of continuing education requirements both for the 2011-2013 and 2013-2015 licensing cycles, suspension is no longer applicable. However, the Board determined that the \$500 civil penalty for Mr. Killar's initial failure to respond to the Board's request for information is appropriate, as the Board should not have to expend time and resources in issuing an order when it seeks information from a licensee. In addition, respondent's failure to timely comply with the continuing education obligations of N.J.A.C. 13:37-5.3 was demonstrated by the dates of the certificates of completion, which also served to demonstrate that he did not provide accurate information on his 2013 renewal application. Therefore, the Board determined that the Provisional Order should be finalized, imposing the reprimand and the \$250 civil penalty for the failure to timely complete continuing education, along with the \$500 penalty for the violation of N.J.A.C. 13:45C-1.2.

ACCORDINGLY, IT IS on this 21<sup>st</sup> day of April, 2015,

ORDERED that:

1. A reprimand is imposed on Respondent for falsifying the continuing education information on his license renewal application.

2. Respondent is assessed a civil penalty in the amount of seven hundred and fifty dollars (\$750). Said penalty is an aggregate penalty, which includes a penalty in the amount of five hundred dollars (\$500) for failure to cooperate with a Board investigation and a penalty in the amount of two hundred and fifty dollars (\$250) for failing to timely complete required continuing education. Payment shall be made by money order, bank cashier check or certified check, made payable to the State of New Jersey or by wire transfer, direct deposit or credit card payment delivered or mailed to George Hebert, Executive Director, State Board of Nursing, P.O. Box 45010, Newark, New Jersey 07101. Any other form of payment will be rejected and will be returned to the party making payment. Payment shall be due no later than fifteen (15) days after the filing of this order. In the event respondent fails to make a timely payment, a certificate of debt shall be filed in accordance with N.J.S.A. 45:1-24 and the Board may bring such other proceedings as authorized by law.

3. The Board reserves the right to initiate disciplinary proceedings based upon any information that Respondent

ultimately provides in response to the letter of inquiry or upon any new information the Board receives.

NEW JERSEY STATE BOARD OF NURSING

By: *Patricia Murphy PhD APN*  
Patricia Murphy, PhD, APN  
President